

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**IN RE GOOGLE DIGITAL ADVERTISING  
ANTITRUST LITIGATION**

**No. 21-MD-3010 (PKC)**

*This Document Relates To:*

**IN RE GOOGLE DIGITAL PUBLISHER LITIGATION**

**No. 1:21-cv-7034 (PKC)**

**DEFENDANTS GOOGLE LLC, ALPHABET INC., AND YOUTUBE LLC'S NOTICE OF  
MOTION TO DISMISS PUBLISHERS'  
AMENDED CONSOLIDATED CLASS ACTION COMPLAINT**

FRESHFIELDS BRUCKHAUS  
DERINGER US LLP  
700 13th Street, NW, 10th Floor  
Washington, DC 20005  
Telephone: (202) 777-4500  
Fax: (202) 777-4555

WILSON SONSINI GOODRICH &  
ROSATI  
Professional Corporation  
One Market Plaza, Spear Tower  
Suite 3300  
San Francisco, CA 94105  
Telephone: (415) 947-2000  
Fax: (415) 947-2099

AXINN, VELTROP & HARKRIDER LLP  
114 West 47th Street  
New York, NY 10036  
Telephone: (212) 728-2200  
Fax: (212) 728-2201

*Counsel for Defendants Google LLC, Alphabet  
Inc., and YouTube LLC*

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants Google LLC, Alphabet Inc., and YouTube LLC's Motion to Dismiss Publishers' Amended Consolidated Class Action Complaint in the above-captioned matter, which is being submitted contemporaneously with this Notice of Motion, Defendants Google LLC, Alphabet Inc., and YouTube LLC will move this Court, before the Honorable P. Kevin Castel, United States District Judge for the Southern District of New York, located at 500 Pearl Street, New York, NY 10007, at a date and time to be set by the Court, for an Order dismissing with prejudice certain of the federal antitrust claims in Counts I and II of the Amended Consolidated Class Action Complaint, No. 21-MD-3010 (PKC), ECF No. 408, on the ground that the Publisher Plaintiffs have failed to state a claim upon which relief can be granted. *See* Fed. R. Civ. P. 12(b)(6); *Ashcroft v. Iqbal*, 556 U.S. 662 (2009); *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007).

Dated: February 3, 2023

Respectfully Submitted,

/s/ Justina K. Sessions

Justina K. Sessions

Jonathan Jacobson

Jessica Lonergan

Mikaela Evans-Aziz (admitted *pro hac vice*)

Vadim Egoul

WILSON SONSINI GOODRICH &  
ROSATI

Professional Corporation

One Market Plaza, Spear Tower

Suite 3300

San Francisco, CA 94105

(415) 947-2000

[jsessions@wsgr.com](mailto:jsessions@wsgr.com)

[jjacobson@wsgr.com](mailto:jjacobson@wsgr.com)

[jloungan@wsgr.com](mailto:jloungan@wsgr.com)

[mevansaziz@wsgr.com](mailto:mevansaziz@wsgr.com)

[vegoul@wsgr.com](mailto:vegoul@wsgr.com)

Eric Mahr  
Julie Elmer  
Andrew J. Ewalt (admitted *pro hac vice*)  
Jan Rybnicek (admitted *pro hac vice*)  
Lauren Kaplin  
Robert J. McCallum  
FRESHFIELDS BRUCKHAUS  
DERINGER US LLP  
700 13th Street NW, 10th Floor  
Washington, DC 20005  
(202) 777-4500  
eric.mahr@freshfields.com  
julie.elmer@freshfields.com  
andrew.ewalt@freshfields.com  
jan.rybnicek@freshfields.com  
lauren.kaplin@freshfields.com  
rob.mccallum@freshfields.com

John Harkrider  
Daniel Bitton  
Bradley Justus (admitted *pro hac vice*)  
Koren Wong-Ervin (admitted *pro hac vice*)  
AXINN, VELTROP & HARKRIDER LLP  
114 West 47th Street  
New York, NY 10036  
Telephone: (212) 728-2200  
jharkrider@axinn.com  
dbitton@axinn.com  
bjustus@axinn.com  
kwongervin@axinn.com

*Counsel for Defendants Google LLC,  
Alphabet Inc., and YouTube, LLC*